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PTO/SB/21 (01-09)

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 16

Application Number	10/673,420
Filing Date	09/30/2003
First Named Inventor	CHUN-I SUN
Art Unit	2622
Examiner Name	YENKE, BRIAN P
Attorney Docket Number	BHT/3127-66

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Endosure(s) (please identify below):
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature	/chun-i sun/		
Printed name	CHUN-I SUN		
Date	03/05/2009	Reg. No.	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	/chun-i sun/		
Typed or printed name	CHUN-I SUN	Date	03/06/2009

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FIRST NAMED INVENTOR: CHUN-I SUN

SERIAL NO.: 10/673,420

FILED: September 30, 2003

FOR: DETECTION DEVICE COMMONLY USED FOR VIDEO/AUDIO
INTERFACE OUTLET AND EARPHONE LINE OUTLET

ART UNIT: 2622

EXAMINER: YENKE, BRIAN P

DOCKET NO.: BHT-3127-66

Hon. Commissioner of Patent and Trademark

P.O. Box 1450

Alexandria, VA 22313-1450

Attn: Office of Petitions

RENEWED PETITION UNDER 37 CFR 1.137(b)

Sir:

In response to Decision on Petition dated January 9, 2006, the reasons of the renewed petition are respectfully stated hereinafter.

1. Regarding the delay in reply that originally resulted in the abandonment:

The U.S. attorney of above-said application, Mr. Bruce H. Troxell, was responsible for receiving and forwarding the office action dated June 6, 2006 to our Taiwanese attorney, Mr. Michael M.C. Wang, in time. Unfortunately, the office

action dated June 6, 2006 has not ever been received by us and it caused a reply to the office action dated June 6, 2006 was unable to be prepared and sent to Your Office promptly.

2. Regarding the delay in filing an initial petition pursuant to 37 CFR 1.137(b) to revive the application:

Further, the notice of abandonment dated December 29, 2006 has not ever been received by us in addition to the Office Action dated June 6, 2006. Mr. Chia-Chih Pan, Patent Engineer, Legal Office, KINPO ELECTRONICS, which is the assignee of the above-said application, first found the above-said application was abandoned when he was browsing on Public PAIR unintentionally on September 9, 2008. Mr. Chia-Chih Pan emailed the message to Mr. Michael M.C. Wang immediately on September 9, 2008. Mr. Michael M.C. Wang emailed to Mr. Troxell on September 9, 2008, September 14, 2009, September 15, 2009 and October 3, 2009 respectively in order to know why no information related to the abandonment of the above-said application from Mr. Troxell. However, there were no replies from Mr. Troxell.

The petition to revive the above-said petition under the unintentional provisions of 37 CFR 1.137(b) was filed on November 20, 2008 after more than two months' endeavors to receive a reply from Mr. Troxell failed.

3. Regarding the attached statements:

The statements declared by Mr. Chia-Chih Pan and Mr. Michael M.C. Wang are respectfully submitted respectively. Further, Mr. Michael M.C. Wang has emailed to Mr. Troxell on February 3, 2009, February 5, 2009, February 6, 2009, February 16, 2009, February 26, 2009 and March 2, 2009 to ask for a statement

signed by Mr. Troxell to verify the delay in reply that originally resulted in the abandonment and the delay in filing an initial petition to revive the application for the above-said application being unintentional. However, there is no confirmative response from Mr. Troxell at all.

4. Conclusion:

The undersigned sincerely states that the application becoming abandoned and the delay in filing the initial petition are unintentionally and it is respectfully requested that the renewed petition be reconsidered and granted. This action is respectfully solicited.

Respectfully submitted

/chun-i sun/

CHUN-I SUN

Dated: March 5, 2009

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Hon. Commissioner of Patent and Trademark

P.O. Box 1450

Alexandria, VA 22313-1450

Attn: Office of Petition

STATEMENT

I, Chia-Chih Pan, patent engineer, Legal Office, KINPO ELECTRONICS, INC., which is the assignee of the above-identified application, residing at No. 147, Sec.3, Beisheng Road, Shenkeng Township, Taipei County 222, Taiwan, declares:

That I indeed was astonished that I found the above-identified application was abandoned on December 29, 2007 at the time of browsing on the Public PAIR on September 9, 2008 unintentionally. Immediately, I sent an email to Mr. Michael M. C. Wang, our patent attorney in Taipei, Taiwan, on the same day without any delays.

The undersigned declares further that preceding statement is true and that the statement made on information and belief is believed to be true and further that the statement is made with the knowledge that willful false statement and the like so made are punished by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Chia-Chih Pan.

Dated: February 8, 2009

Attachment:

A copy of the email dated September 9, 2008, which was sent to Mr Michael M. C. Wang, Patent Attorney of Newis Intellectual Property Office, by Mr. Chia-Chih Pan.

b頁 1 - 2(B)

newis

寄件者: <patent@kinpo.com.tw>
 收件者: <newis@newis.com.tw>
 副本: <cysheng@kinpo.com.tw>; <chini@kinpo.com.tw>; <joysun@kinpo.com.tw>
 傳送日期: 2008年9月9日 上午 08:23
 附加檔案: 10673420-CI0051US.pdf
 主旨: 【詢問案件進度事】本公司編號: CI0051US, 貴所編號: P0606

王所長 早安:

今天早上我上網查了一下有關CI0051US: 孫君意課長-影音介面插座與耳機共用的偵測裝置及方法的進度, 發現本案已放棄(請參附件)??? 煩請協助查明本案依據Office Action 判斷本案應可獲准, 為何會有此情形發生?後續雙方應如何接續處理本案後續問題?(目前尚未接獲日本官方來函, 祈請一併查明為禱)

歷史資料 -

Available Documents

Mail Room Date	Document Code	Document Description	Page Count	Select All	Start Download	Clear All
12-29-2006	ABN	<u>Abandonment</u>	2		<input checked="" type="checkbox"/>	
06-06-2006	CTNF	<u>Non-Final Rejection</u>	6		<input checked="" type="checkbox"/>	
06-06-2006	892	<u>List of references cited by examiner</u>	1		<input checked="" type="checkbox"/>	
06-06-2006	SRFW	<u>Search information including classification, databases and other search related notes</u>	1		<input type="checkbox"/>	
06-06-2006	FWCLM	<u>Index of Claims</u>	1		<input type="checkbox"/>	
09-30-2003	TRNA	<u>Transmittal of New Application</u>	1		<input type="checkbox"/>	
09-30-2003	136A	<u>Authorization for Extension of Time all</u>	1		<input type="checkbox"/>	

		<u>replies</u>		
09-30-2003	SPEC	<u>Specification</u>	8	┐
09-30-2003	CLM	<u>Claims</u>	4	┐
09-30-2003	ABST	<u>Abstract</u>	1	┐
		<u>Drawings-</u>		
09-30-2003	DRW	<u>only black</u> <u>and white line</u> <u>drawings</u>	5	┐
		<u>Oath or</u>		
09-30-2003	OATH	<u>Declaration</u> <u>filed</u>	1	┐
		<u>Fee</u>		
09-30-2003	WFEE	<u>Worksheet</u> <u>(PTO-06)</u>	1	┐
		<u>Fee</u>		
09-30-2003	WFEE	<u>Worksheet</u> <u>(PTO-06)</u>	1	┐

謝謝

Best Regards

George Pan (Patent Engineer)
NEW KINPO GROUP / KINPO ELECTRONICS,INC.
Verification & Patent Dept.
TEL : 886-2-26622660 ext.12741
FAX : 886-2-26622413
Website : <http://www.kinpo.com.tw>
E-Mail : patent@kinpo.com.tw

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MAR 06 2009

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FIRST NAMED INVENTOR: CHUN-I SUN

SERIAL NO.: 10/673,420

FILED: September 30, 2003

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INTERFACE OUTLET AND EARPHONE LINE OUTLET

ART UNIT: 2622

EXAMINER: YENKE, BRIAN P

DOCKET NO.: BHT-3127-66

Hon. Commissioner of Patent and Trademark

P.O. Box 1450

Alexandria, VA 22313-1450

Attn: Office of Petition

STATEMENT

I, Michael M. C. Wang, patent attorney of Newis Intellectual Property Office, residing at 8F., No.3, Lane 149, Sec. 4, Muzha Rd., Wenshan District, Taipei, Taiwan, declares:

That Mr. Bruce H. Troxell was appointed as the attorney of the above-identified application by the inventor, Chun-I Sun and I was authorized by Mr. Sun to deal with Mr. Troxell concerning the above-identified application.

That I indeed did not receive any documents related to the Office Action dated June 6, 2006 and the Notice of Abandonment dated December 29, 2006 from Mr. Troxell.

That I thought the above-identified application was in the process of being examined till the email sent by Mr. George Pan, patent engineer of Verification & Patent Department, KINPO ELECTRONICS, INC. on September 9, 2008 was received.

That the emails dated September 9, 2008, September 14, 2008, September 15 and October 3, 2008 were sent to Mr. Troxell by me successively to inquire the Office Action dated June 6, 2006 and the Notice of Abandonment dated December 29, 2006. Unfortunately, none of any returning emails from Mr. Troxell were received. Further, emails were sent to Mr. Troxell on February 3, 2009, February 5, 2009, February 16, 2009, February 26, 2009 and March 2, 2009 to ask for a statement signed by Mr. Troxell. However, no confirmative response is obtained still.

The undersigned declares further that preceding statements are true and that the statements made on information and belief are believed to be true and further that the statements are made with the knowledge that willful false statements and the like so made are punished by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Michael M. C. Wang
Dated: March 3, 2009

Attachments:

Copies of the preceding emails sent to Mr. Bruce H. Troxell.

MAR 06 2009

-----Original Message-----

From: newis

To: TROXELL LAW OFFICE PLLC

Sent: Monday, March 02, 2009 10:10 AM

Subject: Fw: USSN :10/673,420 YOUR REF: 3127-66 OUR REF: P0606

Dear Mr. Troxell:

Regarding this Decision of Petition, must response to USPTO before March 9, 2009, please kindly provides us a statement that explain why this application became abandoned while it was under your control and what efforts made to further reply and with whom this matter was discussed outside as soon as possible. Thanks.

Sincerely,

Michael M.C. Wang/Patent Attorney

NEWIS INTELLECTUAL PROPERTY OFFICE

8F, 3, Lane 149, Sec. 4, Mucha Rd., Taipei, Taiwan, R.O.C.

TEL : 886 (2) 2239-7395

FAX : 886 (2) 2230-6680

E-mail : newis@newis.com.tw

-----Original Message-----

From: newis

To: TROXELL LAW OFFICE PLLC

Sent: Thursday, February 26, 2009 9:00 AM

Subject: Re: USSN :10/673,420 YOUR REF: 3127-66 OUR REF: P0606

Dear Mr. Troxell:

Regarding this Decision of Petition, must response to USPTO before March 9, 2009, please kindly provides us a statement that explain why this application became abandoned while it was under your control and what efforts made to further reply and with whom this matter was discussed outside as soon as possible. Thanks.

Sincerely,

Michael M.C. Wang/Patent Attorney

NEWIS INTELLECTUAL PROPERTY OFFICE

8F, 3, Lane 149, Sec. 4, Mucha Rd., Taipei, Taiwan, R.O.C.

TEL : 886 (2) 2239-7395

FAX : 886 (2) 2230-6680

E-mail : newis@newis.com.tw

-----Original Message-----

From : newis

To: TROXELL LAW OFFICE PLLC

Sent: Monday, February 16, 2009 5:09 PM

Subject: Re: USSN :10/673,420 YOUR REF: 3127-66 OUR REF: P0606

Dear Mr. Troxell:

Regarding this Decision of Petition, please kindly provides us a statement that explain why this application became abandoned while it was under your control and what efforts made to further reply and with whom this matter was discussed outside as soon as possible. Thanks.

Sincerely,

Michael M.C. Wang/Patent Attorney

NEWIS INTELLECTUAL PROPERTY OFFICE

8F, 3, Lane 149, Sec. 4, Mucha Rd., Taipei, Taiwan, R.O.C.

TEL : 886 (2) 2239-7395

FAX : 886 (2) 2230-6680

E-mail : newis@newis.com.tw

-----Original Message-----

From : newis

To: TROXELL LAW OFFICE PLLC

Sent: Friday, February 06, 2009 9:06 AM

Subject: Re: USSN :10/673,420 YOUR REF: 3127-66 OUR REF: P0606

Dear Mr. Troxell:

Regarding this Decision of Petition, please kindly provides us a statement that explain why this application became abandoned while it was under your control and what efforts made to further reply and with whom this matter was discussed outside as soon as possible. Thanks.

Sincerely,

Michael M.C. Wang/Patent Attorney

NEWIS INTELLECTUAL PROPERTY OFFICE

8F, 3, Lane 149, Sec. 4, Mucha Rd., Taipei, Taiwan, R.O.C.

TEL : 886 (2) 2239-7395

FAX : 886 (2) 2230-6680

E-mail : newis@newis.com.tw

-----Original Message-----

From: TROXELL LAW OFFICE PLLC

To: newis

Sent: Thursday, February 05, 2009 9:07 PM

Subject: RE: USSN :10/673,420 YOUR REF: 3127-66 OUR REF: P0606

Email received with thanks. We will get back to you shortly.

Sincerely,

Bruce H. Troxell

From: newis [<mailto:newis@newis.com.tw>]

Sent: Thursday, February 05, 2009 4:04 AM

To: TROXELL LAW OFFICE PLLC

Subject: Fw: USSN:10/673,420 YOUR REF: 3127-66 OUR REF: P0606

Importance: High

Dear Mr. Troxell:

Please confirm the receipt and reply to the following Email. Thanks.

Sincerely,

Michael M.C. Wang/Patent Attorney

NEWIS INTELLECTUAL PROPERTY OFFICE

8F, 3, Lane 149, Sec. 4, Mucha Rd., Taipei, Taiwan, R.O.C.

TEL : 886 (2) 2239-7395

FAX : 886 (2) 2230-6680

E-mail : newis@newis.com.tw

-----Original Message-----

From: newis

To: TROXELL LAW OFFICE PLLC

Sent: Tuesday, February 03, 2009 6:07 PM

Subject: Re: USSN :10/673,420 YOUR REF: 3127-66 OUR REF: P0606

Dear Mr. Troxell:

Please find attached a Decision of Petition of this US patent application.

Please kindly help us to rescue this US patent application to explain why this application became abandoned while it was under your control and what efforts made to further reply and with whom this matter was discussed outside as soon as possible, or you can help us to respond the Decision of Petition before March 9, 2009 .

Thanks.

Sincerely,

Michael M.C. Wang/Patent Attorney

NEWIS INTELLECTUAL PROPERTY OFFICE

8F, 3, Lane 149, Sec. 4, Mucha Rd., Taipei, Taiwan, R.O.C.

TEL : 886 (2) 2239-7395

FAX : 886 (2) 2230-6680

E-mail : newis@newis.com.tw

-----Original Message-----

From: TROXELL LAW OFFICE PLLC

To: newis'

Sent: Monday, November 03, 2008 9:15 PM

Subject: RE: USSN:10/673,420 YOUR REF: 3127-66 OUR REF: P0606

Instructions received with thanks.

Troxell Law Office, PLLC

From: newis [mailto:newis@newis.com.tw]

Sent: Friday, October 31, 2008 2:34 AM

To: TROXELL LAW OFFICE PLLC

Subject: Re: USSN:10/673,420 YOUR REF: 3127-66 OUR REF: P0606

Importance: High

Dear Mr. Troxell:

Please advise what's going on this US patent application and please rescue it.

Thanks.

Sincerely,

Michael M.C. Wang/Patent Attorney

NEWIS INTELLECTUAL PROPERTY OFFICE

8F, 3, Lane 149, Sec. 4, Mucha Rd., Taipei, Taiwan, R.O.C.

TEL : 886 (2) 2239-7395

FAX : 886 (2) 2230-6680

E-mail : newis@newis.com.tw

-----Original Message-----

From: TROXELL LAW OFFICE PLLC

To: newis

Sent: Monday, September 15, 2008 6:52 PM

Subject: RE:U SSN :10/673,420 YOUR REF: 3127-66 OUR REF: P0606

We are checking on this and will get back to you as soon as possible.

We apologize for the delay.

Sincerely,

Bruce H. Troxell

From: newis [mailto:newis@newis.com.tw]

Sent: Sunday, September 14, 2008 10:52 PM

To: TROXELL LAW OFFICE PLLC

Subject: Fw: USSN:10/673,420 YOUR REF: 3127-66 OUR REF: P0606

Importance: High

Dear Mr. Troxell:

Please confirm the receipt and reply to the following Email. Thanks.

Sincerely,

Michael M.C. Wang/Patent Attorney

NEWIS INTELLECTUAL PROPERTY OFFICE

8F, 3, Lane 149, Sec. 4, Mucha Rd., Taipei, Taiwan, R.O.C.

TEL : 886 (2) 2239-7395

FAX : 886 (2) 2230-6680

E-mail : newis@newis.com.tw

-----Original Message-----

From: newis

To: TROXELL LAW OFFICE PLLC

Sent: Tuesday, September 09, 2008 12:07 PM

Subject: Re: USSN :10/673,420 YOUR REF: 3127-66 OUR REF: P0606

Dear Mr. Troxell:

In the USPTO's website we note that this US patent application was abandoned, but we didn't receive any communication about this matter from your office.

Please advise what's going on this US patent application and please rescue it.

Thanks.

Sincerely,

Michael M.C. Wang/Patent Attorney

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8F, 3, Lane 149, Sec. 4, Mucha Rd., Taipei, Taiwan, R.O.C.

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